

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44631 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- SARAI RANJAN District- Samastipur

ASHISH KUMAR, son of Vijay Mahto, R/O Village- Narma, P.S.- Hathaul
Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumod Kumar Shrivastaw, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-08-2023 1. Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under section 395 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is alleged that five miscreants on two motorcycle came to the petrol pump where the informant was working as *nozal* man. On point of pistol, these accused persons assaulted the informant and one namely Subham Kumar took away two mobile phones and Rs. 10,500/- cash from them.

4. It is submitted that the petitioner is not named in the FIR and his name surfaced on the confessional statement of co-accused Subhash Kumar. No incriminating material was recovered from the conscious possession of this petitioner. The



petitioner is a student of B.A. 1st year and he claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Samastipur in connection with Sarairanjan P.S. case no. 318 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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